"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि.से. भिलाई, दिनांक 30-5-2001."

पंजीयन क्रमांक "छत्तीसगढ़/दुर्ग/तक. 114-009/2003/20-1-03."

छत्तीसगढ़ राजपत्र

प्राधिकार से प्रकाशित

क्रमांक 8] रायपुर, शुक्रवार, दिनांक 23 फरवरी 2007 - फाल्गुन 4, शक 1928

भाग 4

विषय - सूची

भाग 4 (क) - कुछ नहीं

भाग 4 (ख)

संसद के अधिनियम

GOVERNMENT OF CHHATTISGARH
LAW AND LEGISLATIVE AFFAIRS DEPARTMENT

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II , Section I, The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2001 (Act No. 46 of 2001) is hereby republished for general information . The Bill as passed by the Houses of Parliament received the assent of the President on 14-09-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 2001

An Act further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2001.

Amendment of section 3.

2. In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), after the proviso, the following provisos shall be inserted, namely :— **30 of 1954.**

Provided further that in the case of salary, the provisions of this section shall have effect as if for the words "four thousand rupees", the words "twelve thousand rupees" had been substituted for a period of five years beginning from the date of commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2001:

Provided also that in the case of the allowance, the provisions of this section shall have effect as if for the words "four hundred rupees" the words "five hundred rupees" had been substituted for a period of five years beginning from the date of commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2001.

Amendment of section 4.

3. In section 4 of the principal Act, in sub-section (1), in clause (c), in sub-clause (ii), for the words "six rupees per kilometre", the words "eight rupees per kilometre" shall be substituted.

Amendment of section 8A.

4. In section 8A of the principal Act, in sub-section (1),—

(a) for the words "two thousand and five hundred rupees", the words "three thousand rupees" shall be substituted;

(b) in the first proviso, for the words "five hundred rupees", the words "six hundred rupees" shall be substituted.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra -ordinary, Part -II , Section I, The Two-Member Constituencies (Abolition) and other Laws Repeal Act, 2001 (Act No. 47 of 2001) is hereby republished for general information . The Bill as passed by the Houses of Parliament received the assent of the President on 14-09-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE TWO-MEMBER CONSTITUENCIES (ABOLITION) AND OTHER LAWS REPEAL ACT 2001

An Act to repeal the Two-Member Constituencies (Abolition) Act, 1961 and certain other enactments.

Be it enacted by parliament in the Fifty-second Year of the Republic of India as follows:-

1. This Act may be called the Two-Member Constituencies (Abolition) and other Laws Repeal Act, 2001. **Short title.**

2. The enactments specified in the Schedule are hereby repealed. **Repeal of enactments.**

THE SCHEDULE
(*See* section 2)
REPEAL OF ENACTMENTS

Sl. No.	Name of the Act	Year	Act No.
1.	The Two-Member Constituencies (Abolition) Act	1961	1
2.	The Madras State (Alteration of Name) Act	1968	53
3.	The West Bengal Legislative Council (Abolition) Act	1969	20
4.	The Mysore State (Alteration of Name) Act	1973	31
5.	The Laccadive, Minicoy and Amindivi Islands (Alteration of Name) Act.	1973	34
6.	The Andhra Pradesh Legislative Council (Abolition) Act	1985	34
7.	The Tamil Nadu Legislative Council (Abolition) Act	1986	40

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra -ordinary, Part -II , Section I, The Registration and Other Related Laws (Amendment) Act, 2001 (Act No. 48 of 2001) is hereby republished for general information . The Bill as passed by the Houses of Parliament received the assent of the President on 24-09-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE REGISTRATION AND OTHER RELATED LAWS (AMENDMENT) ACT, 2001.

An Act further to amend the Registration Act, 1908, the Transfer of Property Act, 1882 and the Indian Stamp Act, 1899.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title.

1. This Act may be called the Registration and Other Related Laws (Amendment) Act, 2001.

CHAPTER II

AMENDMENT OF THE REGISTRATION ACT, 1908

Insertion of new section 16A.

2. In the Registration Act, 1908 (hereafter in this Chapter referred to as the Registration Act), after section 16, the following section shall be inserted, namely :— **16 of 1908.**

Keeping of books in computer floppies, diskettes, etc.

"16A. (1) Notwithstanding anything contained in section 16, the books provided under sub-section (1) of that section may also be kept in computer floppies or diskettes or in any other electronic form in the manner and subject to the safeguards as may be prescribed by the Inspector-General with the sanction of the State Government.

(2) Notwithstanding anything contained in this Act or in any other law for the time being in force, a copy or extracts from the books kept under sub-section (1) given by the registering officer under his hand and seal shall be deemed to be a copy given under section 57 for the purposes of sub-section (5) of that section.".

3. In section 17 of the Registration Act,— **Amendment of section 17.**

(a) after sub-section (1), the following sub-section shall be inserted, namely:—

"(IA) The documents containing contracts to transfer for consideration, any immovable property for the purpose of section 53A of the Transfer of Property Act, 1882 (4 of 1882) shall be registered if they have been executed on or after the commencement of the Registration and Other Related Laws (Amendment) Act, 2001 and if such documents are not registered on or after such commencement, then, they shall have no effect for the purposes of the said section 53A.";

(b) in sub-section (2), in clause (v), for the opening words "any document", the words, brackets, figure and letter "any document other than the documents specified in sub-section (IA)" shall be substituted.

4. In section 30 of the Registration Act, sub-section (2) shall be omitted. **Amendment of section 30.**

5. After section 32 of the Registration Act, the following section shall be inserted, namely :— **Insertion of new section 32A.**

"32A. Every person presenting any document at the proper registration office under section 32 shall affix his passport size photograph and fingerprints to the document: **Compulsory affixing of Photograph, etc.**

Provided that where such document relates to the transfer of ownership of immovable property, the passport size photograph and fingerprints of each buyer and seller of such property mentioned in the document shall also be affixed to the document.".

6. In section 49 of the Registration Act, in the proviso, the words, figures and letter "or as evidence of part performance of a contract for the purposes of section 53A of the Transfer of Property Act, 1882," (4 of 1882) shall be omitted. **Amendment of section 49.**

7. In section 52 of the Registration Act, in sub-section (1), in clause (a), after the words "and place of presentation", the words, figures and letter "the photographs and fingerprints affixed under section 32A" shall be inserted. **Amendment of section 52.**

8. Section 67 of the Registration Act shall be omitted. **Omission of Section 67.**

Amendment of section 69.

9. In section 69 of the Registration Act, in sub-section (1), after clause (a), the following clause shall be inserted, namely :—

"(aa) providing the manner in which and the safeguards subject to which the books may be kept in computer floppies or diskettes or in any other electronic form under sub-section (1) of section 16A;".

CHAPTER III

AMENDMENT OF THE TRANSFER OF PROPERTY ACT, 1882

Amendment of section 53A of Act 4 of 1882.

10. In section 53A of the Transfer of Property Act, 1882, the words "the contract, though required to be registered, has not been registered, or," shall be omitted.

CHAPTER IV

AMENDMENT OF THE INDIAN STAMP ACT, 1899

Amendment of Schedule I of Act 2 of 1899.

11. In Schedule I to the Indian Stamp Act, 1899,—

(a) under column heading "Description of Instrument", in article No. 23, in *Exemption*, the portion beginning with the words "Assignment of Copyright" and ending with the word and figure "section 5." shall be numbered as clause (a) thereof, and after clause (a) as so numbered, the following clause shall be inserted, namely :—

"(b) for the purpose of this article, the portion of duty paid in respect of a document falling under article No. 23A shall be excluded while computing the duty payable in respect of a corresponding document relating to the completion of the transaction in any union territory under this article.";

(b) after article No. 23 and the entries relating thereto, the following article No. and the entires shall be inserted, namely :—

Description of Instrument	Proper Stamp-duty
"23A. CONVEYANCE IN THE NATURE OF PART PERFORMANCE. Contracts for the transfer of immovable property in the nature of part performance in any union territory under section 53A of the Transfer of Property Act, 1882.	Ninety per cent. of the duty as a Conveyance (No. 23).".

4 of 1882.

12. Notwithstanding anything contained in sections 6 and 10, any— Saving.

(a) right of a transfer or any person claiming under him debarred under section 53A of the Transfer of Property Act, 1882 immediately before the commencement of this Act shall remain so debarred as if section 10 had not come into force in respect of such right; and 4 of 1882.

(b) unregistered document relating to the right referred to in clause (a) may be received as evidence of part performance of a contract for the purposes of section 53A of the Transfer of Property Act, 1882 as if section 6 had not come into force in respect of such document. 4 of 1882.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra -ordinary, Part -II , Section I, The Marriage Laws (Amendment) Act, 2001 (Act No. 49 of 2001) is hereby republished for general information . The Bill as passed by the Houses of Parliament received the assent of the President on 24 -9- 2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE MARRIAGE LAWS (AMENDMENT) ACT, 2001

An Act further to amend the Indian Divorce Act, 1869, the Parsi Marriage and Divorce Act, 1936, the Special Marriage Act, 1954 and the Hindu Marriage Act, 1955.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. This Act may be called the Marriage Laws (Amendment) Act, 2001. Short title.

CHAPTER II

AMENDMENTS TO THE INDIAN DIVORCE ACT, 1869

4 of 1869.

2. In section 36 of the Indian Divorce Act, 1869 (hereafter in this Chapter referred to as the Divorce Act),— Amendment of section 36.

(a) for the words "the wife may present a petition for alimony pending the suit", the words "the wife may present a petition for expenses of the proceedings and alimony pending the suit" shall be substituted;

(b) for the words "for payment to the wife of alimony pending the suit", the words "for payment to the wife of the expenses of the proceedings and alimony pending the suit" shall be substituted;

(c) after the proviso, the following proviso shall be inserted, namely :—

"Provided further that the petition for the expenses of the proceedings and alimony pending the suit, shall, as far as possible, be disposed of within sixty days of service of such petition on the husband.".

Amendment of section 41.

3. In section 41 of the Divorce Act, the following proviso shall be inserted, namely :—

"Provided that the application with respect to the maintenance and education of the minor children pending the suit, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the respondent".

CHAPTER III

AMENDMENTS TO THE PARSI MARRIAGE AND DIVORCE ACT, 1936

Amendment of section 39.

4. In section 39 of the Parsi Marriage and Divorce Act, 1936 (hereafter in this Chapter referred to as the Parsi Marriage and Divorce Act), the following proviso shall be inserted, namely :— 3 of 1936.

"Provided that the application for the payment of the expenses of the suit and such weekly or monthly sum during the suit, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the wife or the husband, as the case may be.".

Amendment of section 49.

5. In section 49 of the Parsi Marriage and Divorce Act, the following proviso shall be inserted, namely :—

"Provided that the application with respect to the maintenance and education of such children during the suit, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the respondent.".

CHAPTER IV

AMENDMENTS TO THE SPECIAL MARRIAGE ACT, 1954

43 of 1954.

6. In section 36 of the Special Marriage Act, 1954 (hereafter in this Chapter referred to as the Special Marriage Act), the following proviso shall be inserted, namely :— **Amendment of section 36.**

"Provided that the application for the payment of the expenses of the proceeding and such weekly or monthly sum during the proceeding under Chapter V or Chapter VI, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the husband.".

7. In section 38 of the Special Marriage Act, the following proviso shall be inserted, namely :— **Amendment of section 38.**

"Provided that the application with respect to the maintenance and education of the minor children, during the proceeding, under Chapter V or Chapter VI, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the respondent.".

CHAPTER V

AMENDMENTS TO THE HINDU MARRIAGE ACT, 1955

25 of 1955.

8. In section 24 of the Hindu Marriage Act, 1955 (hereafter in this Chapter referred to as the Hindu Marriage Act), the following proviso shall be inserted, namely :— **Amendment of section 24.**

"Provided that the application for the payment of the expenses of the proceeding and such monthly sum during the proceeding, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the wife or the husband, as the case may be.".

9. In section 26 of the Hindu Marriage Act, the following proviso shall be inserted, namely :— **Amendment of section 26.**

"Provided that the application with respect to the maintenance and education of the minor children, pending the proceeding for obtaining such decree, shall, as far as possible, be disposed of within sixty days from the date of service of notice on the respondent.".

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra-ordinary, Part -II, Section I, The Code of Criminal Procedure Amendement) Act, 2001 (Act No. 50 of 2001) is hereby republished for general information . The Bill as passed by the Houses of Parliament received the assent of the President on 24-09-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) ACT, 2001

An Act further to amend the Code of Criminal Procedure, 1973.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows :—

Short title. 1. This Act may be called the Code of Criminal Procedure (Amendment) Act, 2001.

Amendment of section 125. 2. In the Code of Criminal Procedure, 1973 (hereinafter referred to as the principal Act), in section 125, — **2 of 1974.**

(i) in sub-section (1),—

(a) the words "not exceeding five hundred rupees in the whole," shall be omitted ;

(b) after the proviso and before the *Explanation*, the following provisos shall be inserted, namely :—

"Provided further that the Magistrate may, during the pendency of the proceeding regarding monthly allowance for the maintenance under this sub-section, order such person to make a monthly allowance for the interim maintenance of his wife or such child, father or mother, and the expenses of such proceeding which the Magistrate considers reasonable, and to pay the same to such person as the Magistrate may from time to time direct :

Provided also that an application for the monthly allowance for the interim maintenance and expenses for proceeding under the second proviso shall, as far as possible, be disposed of within sixty days from the date of the service of notice of the application to such person.";

(ii) for sub-section (2), the following sub-section shall be substituted, namely :—

"(2) Any such allowance for the maintenance or interim maintenance and expenses for proceeding shall be payable from the date of the order, or, if so ordered, from the date of the application for maintenance or interim maintenance and expenses of proceeding, as the case may be.";

(iii) in sub-sections (3) and (4), for the word "allowance", wherever it occurs, the words "allowance for the maintenance or the interim maintenance and expenses of proceeding, as the case may be," shall be substituted.

3. In section 127 of the Principal Act,— **Amendment of section 127.**

(i) for sub-section (1), the following sub-section shall be substituted, namely :—

"(1) On proof of a change in the circumstances of any person, receiving, under section 125 a monthly allowance for the maintenance or interim maintenance, or ordered under the same section to pay a monthly allowance for the maintenance, or interim maintenance, to his wife, child, father or mother, as the case may be, the Magistrate may make such alteration, as he thinks fit, in the allowance for the maintenance or the interim maintenance, as the case may be.";

(ii) in sub-section (3), in clause (c), for the word "maintenance", the words "maintenance or interim maintenance, as the case may be," shall be substituted;

(iii) in sub-section (4),—

(a) for the words "monthly allowance has been ordered", the words "monthly allowance for the maintenance and interim maintenance or any of them has been ordered" shall be substituted;

(b) for the words "as monthly allowance in pursuance of", the words "as monthly allowance for the maintenance and interim maintenance or any of them, as the case may be, in pursuance of" shall be substituted.

4. In section 128 of the Principal Act,— **Amendment of section 128.**

(i) for the word "maintenance", the words "maintenance or interim maintenance and expenses of proceeding, as the case may be," shall be substituted;

(ii) for the words "whom the allowance", the words "whom the allowance for the maintenance or the allowance for the interim maintenance and expenses of proceeding, as the case may be," shall be substituted;

(iii) for the words "allowance due", the words "allowance, or as the case may be, expenses, due" shall be substituted.

Raipur, the 6th December 2004

No. 7152/21-A (Dr).– The following Act of the Parliament, published in the Gazette of India Extra -ordinary, Part -II , Section I, The Indian divorce (Amendment) Act, 2001 (Act No. 51 of 2001) is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on 24-9-2001.

By order and in the name of the Governor of Chhattisgarh,
MAHENDRA RATHOR, Deputy Secretary.

THE INDIAN DIVORCE (AMENDMENT) ACT, 2001

An Act further to amend the Indian Divorce Act, 1869.

Be it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—

Short title and commencement. 1. (1) This Act may be called the Indian Divorce (Amendment) Act, 2001.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment of section 1. 2. In section 1 of the Indian Divorce Act, 1869 (hereinafter referred to as the principal Act), the word "Indian" shall be omitted. **4 of 1869.**

Amendment of section 3. 3. In section 3 of the Principal Act,—

(a) in clause (3), for the words "or of whose jurisdiction under this Act", the words "or of whose jurisdiction under this Act the marriage was solemnized or" shall be substituted;

(b) clauses (6) and (7) shall be omitted.

4. Section 7 of the principal Act shall be omitted.

Omission of section 7.

5. For section 10 of the principal Act, the following section shall be substituted, namely :—

Substitution of new section for section 10.

Grounds for dissolution of marriage.

"10. (1) Any marriage solemnized, whether before or after the commencement of the Indian Divorce (Amendment) Act, 2001, may, on a petition presented to the District Court either by the husband or the wife, be dissolved on the ground that since the solemnization of the marriage, the respondent—

(i) has committed adultery; or

(ii) has ceased to be Christian by conversion to another religion; or

(iii) has been incurably of unsound mind for a continuous period of not less than two years immediately preceding the presentation of the petition; or

(iv) has, for a period of not less than two years immediately preceding the presentation of the petition, been suffering from a virulent and incurable form of leprosy; or

(v) has, for a period of not less than two years immediately preceding the presentation of the petition, been suffering from venereal disease in a communicable form; or

(vi) has not been heard of as being alive for a period of seven years or more by those persons who would naturally have heard of the respondent if the respondent had been alive; or

(vii) has wilfully refused to consummate the marriage and the marriage has not therefore been consummated; or

(viii) has failed to comply with a decree for restitution of conjugal rights for a period of two years or upwards after the passing of the decree against the respondent; or

(ix) has deserted the petitioner for at least two years immediately preceding the presentation of the petition; or

(x) has treated the petitioner with such cruelty as to cause a reasonable apprehension in the mind of the petitioner that it would be harmful or injurious for the petitioner to live with the respondent.

(2) A wife may also present a petition for the dissolution of her marriage on the ground that the husband has, since the solemnization of the marriage, been guilty of rape, sodomy or bestiality.".

Insertion of new section 10A.

6. After section 10 of the principal Act, the following section shall be inserted, namely :—

Dissolution of marriage by mutual consent.

"10A. (1) Subject to the provisions of this Act and the rules made thereunder, a petition for dissolution of marriage may be presented to the District Court by both the parties to a marrige together, whether such marriage was solemnized before or aftert the commencement of the Indian Divorce (Amendment) Act, 2001, on the ground that they have been living separately for a period of two years or more, that they have not been able to live together and they have mutually agreed that the marriage should be dissolved.

(2) On the motion of both the parties made not earlier than six months after the date of presentation of the petition referred to in sub-section (1) and not later than eighteen months after the said date, if the petition is not withdrawn by both the parties in the meantime, the Court shall; on being satisfied, after hearing the parties and making such inquiry, as it thinks fit, that a marriage has been solemnized and that the averments in the petition are true, pass a decree declaring the marriage to be dissolved with effect from the date of decree.".

Substitution of new section for section 11.

7. For section 11 of the principal Act, the following section shall be substituted, namely :—

Adulterer or adulteress to be co-respondent.

"11. On a petition for dissolution of marriage presented by a husband or wife on the ground of adultery, the petitioner shall make the alleged adulterer or adulteress a co-respondent, unless the petitioner is excused by the Court from so doing on any of the following grounds, namely :—

(a) that the wife, being the respondent is leading the life of a prostitute or the husband, being respondent is leading an immoral life and that the petitioner knows of no person with whom the adultery has been committed;

(b) that the name of the alleged adulterer or adulteress is unknown to the petitioner although the petitioner has made due efforts to discover it ;

(c) that the alleged adulterer or adulteress is dead.".

8. In section 13 of the principal Act, the last paragraph shall be omitted. **Amendment of section 13.**

9. In section 14 of the principal Act, in paragraph 4, the words "in the manner and subject to all the provisions and limitations in sections 16 and 17 made and declared" shall be omitted. **Amendment of section 14.**

10. In section 15 of the principal Act,— **Amendment of section 15.**

    (a) the words "without reasonable excuse" shall be omitted ;

    (b) for the words "her adultery and cruelty", the words "her adultery or cruelty or desertion" shall be substituted ;

    (c) for the words "such cruelty", the words "such adultery, cruelty" shall be substituted.

11. In section 16 of the principal Act, the words, "not being a confirmation of a decree of a District Court," shall be omitted. **Amendment of section 16.**

12. For section 17 of the principal Act, the following section shall be substituted, namely :— **Substitution of new section for section 17.**

    "17. During the progress of the suit in the Court of the District Judge, any person suspecting that any parties to the suit are or have been acting in collusion for the purpose of obtaining a divorce, shall be at liberty, in such manner as the High Court by general or special order from time to time directs, to apply to the High Court to remove the suit under section 8, and the Court shall thereupon, if it thinks fit, remove such suit and try and determine the same as a court of original jurisdiction, and the provisions contained in section 16 shall apply to every suit so removed; or it may direct the District Judge to take such steps in respect of the alleged collusion as may be necessary, to enable him to make a decree in accordance with the justice of the case.". **Power of High Court to remove certain Suits.**

13. Section 17A of the principal Act shall be omitted. **Omission of section 17A.**

14. In section 18 of the principal Act, the words "or to the High Court" shall be omitted. **Amendment of section 18.**

15. In section 19 of the principal Act, in the last paragraph, for the words "jurisdiction of the High Court", the words "jurisdiction of the District Court" shall be substituted. **Amendment of section 19.**

16. Section 20 of the principal Act shall be omitted. **Omission of section 20.**

Amendment of section 22.

17. In section 22 of the principal Act, the words "without reasonable excuse" shall be omitted.

Amendment of sections, 23, 27 and 32.

18. In sections 23, 27 and 32 of the principal Act, the words" or the High Court" shall be omitted.

Omission of section 34.

19. Section 34 of the principal Act shall be omitted.

Omission of section 35.

20. Section 35 of the principal Act shall be omitted.

Amendment of section 36.

21. In section 36 of the principal Act, the proviso shall be omitted.

Amendment of section 37.

22. In section 37 of the principal Act, for the portion beginning with the words "The High Court" and ending with the words "the husband shall", the words "Where a decree of dissolution of the marriage or a decree of judicial separation is obtained by the wife, the District Court may order that the husband shall" shall be substituted.

Omission of section 39.

23. Section 39 of the principal Act shall be omitted.

Amendment of section 40.

24. In section 40 of the principal Act, for the portion beginning with the words "The High Court" and ending with the words "may inquire into", the words "The District Court may, before passing a decree for dissolution of the marriage or a decree of nullity of marriage, inquire into" shall be substituted.

Amendment of section 43.

25. In section 43 of the principal Act, for the portion beginning with the words "In any suit for obtaining" and ending with the words "deems proper", the words "In any suit for obtaining a dissolution of marriage or a decree of nullity of marriage instituted in a District Court, the Court may from time to time before making its decree, make such interim orders as it may deem proper" shall be substituted.

Amendment of section 44.

26. In section 44 of the principal Act, for the portion beginning with the words "The High Court" and ending with the words "may upon application", the words "Where a decree of dissolution or nullity of marriage has been passed, the District Court may, upon application" shall be substituted.

Amendment of section 45.

27. In section 45 of the principal Act, for the words "Code of Civil Procedure", the words and figures "Code of Civil Procedure, 1908" shall be substituted. 5 of 1908.

Amendment of section 52.

28. In section 52 of the principal Act, for the portion beginning with the words "by a wife" and ending with the words "without

reasonable excuse", the words "by a husband or a wife, praying that his or her marriage may be dissolved by reason of his wife or her husband, as the case may be, having been guilty of adultery, cruelty or desertion" shall be substituted.

Amendment of section 55.

29. In section 55 of the principal Act,—

(a) the first proviso shall be omitted;

(b) in the second proviso, for the words "Provided also", the words "Provided" shall be substituted.

Substitution of new section for section 57.

30. For section 57 of the principal Act, the following section shall be substituted, namely :—

Liberty to parties to marry again.

"57. Where a decree for dissolution or nullity of marriage has been passed and either the time for appeal has expired without an appeal having been presented to any court including the Supreme Court or an appeal has been presented but has been dismissed and the decree or dismissal has become final, it shall be lawful for either party to the marriage to marry again."

Amendment of Section 62

5 of 1908.

31. In section 62 of the principal Act, for the words "Code of Civil Procedure", the words and figures "Code of Civil Procedure, 1908" shall be substituted.

Repeal.

16 & 17 Geo. 5,c.40,3and 4 Geo. IV C.35, 9 Geo. IV C.51.

32. The Indian and Colonial Divorce Jurisdiction Act, 1926, the Indian and Colonial Divorce Jurisdiction Act, 1940 and the Indian Divorce Act, 1945 are hereby repealed.

भाग 4 (ग) - कुछ नहीं

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव से मुद्रित तथा प्रकाशित -2007